

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

PAUL HARVEY, MERYL  
EICHENBAUM, and ROXANNE  
KUZOWSKY, as representatives of a  
class of similarly situated persons, and  
on behalf of the BED BATH &  
BEYOND, INC. 401(K) SAVINGS  
PLAN,

Plaintiffs,

v.

BED BATH & BEYOND, INC.  
401(K) SAVINGS PLAN  
COMMITTEE and LAURA  
CROSSEN,

Defendants.

Case No. 2:23-cv-20376-CCC-SDA

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL  
OF CLASS ACTION SETTLEMENT**

Plaintiffs Paul Harvey, Meryl Eichenbaum, and Roxanne Kuzowsky (“Plaintiffs”), individually and on behalf of the proposed Settlement Class, hereby respectfully move for an order (1) preliminarily approving a class action settlement agreement between Plaintiffs and Bed Bath & Beyond, Inc. 401(k) Savings Plan Committee and Laura Crossen (“Defendants” and together with Plaintiffs, “Parties”), (2) approving the proposed Settlement Notice and authorizing its distribution to the Settlement Class; (3) certifying, on a preliminary basis, the

proposed Settlement Class; (4) approving the proposed Plan of Allocation; (5) setting a date for a Fairness Hearing; and (6) granting other relief as set forth in the proposed Preliminary Approval Order.

This motion is made based on the accompanying Memorandum of Points and Authorities, the Settlement Agreement, Declaration of Jennifer K. Lee and the accompanying exhibits, Declaration of Marc Edelman, Declaration of Paul Harvey, Declaration of Meryl Eichenbaum, and Declaration of Roxanne Kuzowsky, and all other papers, pleadings, documents, arguments, and materials presented before or during the hearing on this motion, and any other evidence or argument the Court may consider.

Respectfully Submitted,

Date: February 14, 2025

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\*\**pro hac vice* application forthcoming

ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on February 14, 2025, the foregoing was electronically filed using the CM/ECF system, causing a Notice of Electronic Filing to be transmitted to all counsel of record.

/s/Andrew R. Frisch  
Andrew R. Frisch